

REMARKS

Favorable reconsideration of this application and the Office Action of June 20, 2008 are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 1, 3-5, 7-9 and 12-14 remain in this application as amended. Claims 2, 6, 10 and 11 have been canceled by this response. Claim 2 has been amended to correct the units statement.

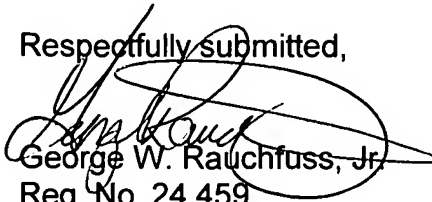
Basis for the amendments to claims 1 and 5 is found in the specification. Claims 1 and 5 now state that a single photoresist layer is provided on the substrate. This amendment is based on the description on the drawings and page 9, line 22 to page 10, line 5 which describes that a single photoresist layer is applied from which, after a crosslinking reaction has taken place, a (new) first subphotoresist layer and a second subphotoresist layer are formed. Claims 1 and 5 also state that parts of the exposed photoresist layer are exposed to light and are soluble in a solvent to form a hole patter having recesses in the photoresist layer and these recesses have a flowing contour at the bottom of the recesses. This feature is described in the drawings and the specification at page 3, line 29 to page 4, line 3.

The rejection of claims 1-6 and 10-14 as anticipated by Hendriks et al (WO 02/09103) under 35 U.S.C. 102(a) is respectfully traversed. Hendrick et al. does not disclose a single photoresist layer and forming a hole patter with recesses having a flowing contour at the bottom of the recesses. As a result of the holes having a flowing contour the protrusions of the stamper plate corresponding to the recesses of the master plate are substantially free from barbs and therefore the production of the optical media can take place without entailing appreciable clouding. Such a master plate and the process of producing same are not disclosed in Hendrik et al. Therefore the claims are novel over Hendrik et al and the USPTO is respectfully requested to reconsider and withdraw this section 102(a) rejection of the claims.

The Section 103 rejections of claim 7 over Hendrik in view of Peterson et al. (US

5702767) and claims 8 and 9 over those references further in view of Thompson (US 6361921) are respectfully traversed. Neither of these two secondary references cures the deficiencies of the Hendrik et al. disclosure in respect of Hendrik et al. failure to disclose a single photoresist layer and forming a hole patter with recesses having a flowing contour at the bottom of the recesses. Therefore, the combinations of Hendrik et al with either Petersen et al. alone or with Petersen and Thompson do not render the invention obvious to one skilled in the art. Furthermore, the claims under rejection require an adhesive where there is a diffusion of chemical of the adhesive layer into the photoresist layer (as shown in Fig. 4). The Office Action appears to misinterpret the claims. The standard prior art process is to apply an adhesive layer, e.g. HMDS, and then rinse it with water in order to leave a monolayer at the surface of the substrate. In contrast, the present invention a limited rinsing occurs where sufficient adhesive material is left on the surface of the substrate which can diffuse in the photoresist layer which is applied in a next step and leave sufficient adhesive material at the surface for good adhesion. This aspect is not disclosed in any of the cited prior art and thus the prior art cannot render the claimed invention obvious under Section 103. The USPTO is therefore respectfully requested to reconsider and withdraw these two Section 103 rejections.

It is respectfully submitted that this is a full and complete response to the Office Action of June 20, 2008 and that all the claims are allowable for at least the reasons stated. An early indication of their allowability by issuance of a Notice of Allowance is earnestly solicited.

Respectfully submitted,
By: 
George W. Rauchfuss, Jr.
Reg. No. 24,459
Attorney for Applicant

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, Tenth Floor
Stamford, CT 06901-2682
Tel: (203) 327-4500
Fax: (203) 327-6401
Date: September 12, 2008